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ESTABLISHMENT OF A NUCLEAR-WEAPON-FREE ZONE IN THE REGION OF THE MIDDLE EAST

Report of the First Committee

Rapporteur: Mr. Peter GOOSEN (South Africa)

I. INTRODUCTION

1. The item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East" was included in the provisional agenda of the forty-ninth session in accordance with General Assembly resolution 48/71 of 16 December 1993.

2. At its 3rd plenary meeting, on 23 September 1994, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 13 October, the First Committee decided to hold a general debate on all disarmament and international security items allocated to it, namely, items 53 to 66, 68 to 72 and 153. The deliberations on those items took place at the 3rd to 10th meetings, from 17 to 24 October (see A/C.1/49/PV.3-10). Structured discussions of specific subjects on the adopted thematic approach took place from 25 to 27 and on 31 October and 1 November. Consideration of draft resolutions on those items took place at the 12th to 16th meetings, on 3, 4, 7 and 9 November (see A/C.1/49/PV.12-16). Action on draft resolutions on those items took place at the 19th to 25th meetings, from 14 to 18 November (see A/C.1/49/PV.19-25).

4. In connection with item 58, the First Committee had before it the following documents:

(a) Report of the Secretary-General on the establishment of a nuclear-weapon-free zone in the region of the Middle East (A/49/324);

(b) Letter dated 25 June 1994 from the Minister for Foreign Affairs of Egypt to the Secretary-General transmitting the texts of the documents adopted by the Eleventh Ministerial Conference of the Movement of Non-Aligned Countries, held at Cairo from 31 May to 3 June 1994 (A/49/287-S/1994/894 and Corr.1);

(c) Letter dated 28 September 1994 from the Permanent Representative of Pakistan addressed to the Secretary-General (A/49/448).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/49/L.16 AND Rev.1

5. On 1 November, Egypt submitted a draft resolution entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East" (A/C.1/49/L.16). The draft resolution was introduced by the representative of Egypt at the 14th meeting, on 7 November.

6. On 11 November, Israel submitted proposed amendments (A/C.1/49/L.48) to draft resolution A/C.1/49/L.16, by which:

(a) After the third preambular paragraph, the following paragraphs would be inserted:

"Welcoming the peace negotiations in the Middle East as the appropriate framework for the peaceful settlement of all contentious issues in the region,

"Emphasizing the comprehensive character of the Middle Eastern peace negotiations as the principal venue for negotiating peace in all its aspects among all States of the region, especially the role, in this context, of the Working Group on Arms Control and Regional Security,

"Emphasizing, in particular, the role of the Working Group on Arms Control and Regional Security in implementing measures designed to create a climate of confidence and to treat all aspects pertaining to regional security and arms control in step with the growing sense of confidence and the growing number of participants in the peace negotiations, including the provisions of the present resolution,

"Recognizing that credible regional security, including the establishment of a mutually verifiable nuclear-weapon-free zone, is predicated on peace and on agreement by all States of the region to settle differences peacefully,";

(b) After operative paragraph 2, the following paragraphs would be inserted:

"3. Calls upon all States of the region to support the ongoing peace process in the Middle East in order to further the prospects for genuine reconciliation and to pave the way for meaningful arms control and regional security arrangements, including provisions of the present resolution;

"4. Also calls upon all States of the region to join the multilateral negotiations in order to enable progress on issues of arms control and regional security, wherever possible;"

and the subsequent paragraphs would be renumbered accordingly.

7. On 17 November, the sponsor submitted a revised draft resolution (A/C.1/49/L.16/Rev.1), which contained the following changes:

(a) A new ninth preambular paragraph was added, reading:

"Taking note of the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,";

(b) A new tenth preambular paragraph was added, reading:

"Recognizing the importance of credible regional security, including the establishment of a mutually verifiable nuclear-weapon-free zone,";

(c) A new operative paragraph 4 was added, which read:

"Takes note also of the importance of the ongoing bilateral Middle East peace negotiations and the activities of the multilateral working group on arms control and regional security in promoting mutual confidence and security in the Middle East, including the establishment of a nuclear-weapon-free zone;"

and the subsequent paragraphs were renumbered accordingly.

8. At the 24th meeting, on 18 November, the representative of Israel made a statement that he would not press to a vote the proposed amendments contained in document A/C.1/49/L.48.

9. At its 24th meeting, the Committee adopted draft resolution A/C.1/49/L.16/Rev.1 without a vote (see para. 10).

III. RECOMMENDATION OF THE FIRST COMMITTEE

10. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Establishment of a nuclear-weapon-free zone in the region of the Middle East

The General Assembly,

Recalling its resolutions 3263 (XXIX) of 9 December 1974, 3474 (XXX) of 11 December 1975, 31/71 of 10 December 1976, 32/82 of 12 December 1977, 33/64 of 14 December 1978, 34/77 of 11 December 1979, 35/147 of 12 December 1980, 36/87

of 9 December 1981, 37/75 of 9 December 1982, 38/64 of 15 December 1983, 39/54 of 12 December 1984, 40/82 of 12 December 1985, 41/48 of 3 December 1986, 42/28 of 30 November 1987, 43/65 of 7 December 1988, 44/108 of 15 December 1989, 45/52 of 4 December 1990, 46/30 of 6 December 1991, 47/48 of 9 December 1992 and 48/71 of 16 December 1993 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also the recommendations for the establishment of such a zone in the Middle East consistent with paragraphs 60 to 63, and in particular paragraph 63 (d), of the Final Document of the Tenth Special Session of the General Assembly, 1/

Emphasizing the basic provisions of the above-mentioned resolutions, which call upon all parties directly concerned to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East and, pending and during the establishment of such a zone, to declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, to agree to place all their nuclear facilities under International Atomic Energy Agency safeguards and to declare their support for the establishment of the zone and to deposit such declarations with the Security Council for consideration, as appropriate,

Reaffirming the inalienable right of all States to acquire and develop nuclear energy for peaceful purposes,

Emphasizing the need for appropriate measures on the question of the prohibition of military attacks on nuclear facilities,

Bearing in mind the consensus reached by the General Assembly at its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the region of the Middle East would greatly enhance international peace and security,

Desirous of building on that consensus so that substantial progress can be made towards establishing a nuclear-weapon-free zone in the region of the Middle East,

Welcoming all initiatives leading to general and complete disarmament, including in the region of the Middle East, and in particular on the establishment therein of a zone free of weapons of mass destruction, including nuclear weapons,

Taking note of the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,

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1/ Resolution S-10/2.

Recognizing the importance of credible regional security, including the establishment of a mutually verifiable nuclear-weapon-free zone,

Emphasizing the essential role of the United Nations in the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Having examined the report of the Secretary-General on the implementation of resolution 48/71, 2/

1. Urges all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly, and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons; 3/

2. Calls upon all countries of the region that have not done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;

3. Takes note of resolution GC(XXXVIII)/RES/21, adopted on 23 September 1994 by the General Conference of the International Atomic Energy Agency at its thirty-eighth regular session, concerning the application of Agency safeguards in the Middle East;

4. Takes note also of the importance of the ongoing bilateral Middle East peace negotiations and the activities of the multilateral working group on arms control and regional security in promoting mutual confidence and security in the Middle East, including the establishment of a nuclear-weapon-free zone;

5. Invites all countries of the region, pending the establishment of a nuclear-weapon-free zone in the region of the Middle East, to declare their support for establishing such a zone, consistent with paragraph 63 (d) of the Final Document of the Tenth Special Session of the General Assembly, and to deposit those declarations with the Security Council;

6. Also invites those countries, pending the establishment of the zone, not to develop, produce, test or otherwise acquire nuclear weapons or permit the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices;

7. Invites the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to both the letter and the spirit of the present resolution;

8. Takes note of the report of the Secretary-General; 2/

2/ A/49/324.

3/ United Nations, Treaty Series, vol. 729, No. 10485.

9. Invites all parties to consider the appropriate means that may contribute towards the goal of general and complete disarmament and the establishment of a zone free of weapons of mass destruction in the region of the Middle East;

10. Requests the Secretary-General to continue to pursue consultations with the States of the region and other concerned States, in accordance with paragraph 7 of resolution 46/30, and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to his report 1/ or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the region of the Middle East;

11. Also requests the Secretary-General to submit to the General Assembly at its fiftieth session a report on the implementation of the present resolution;

12. Decides to include in the provisional agenda of its fiftieth session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

1/ A/45/435.